

17 CV 6196

JS 44C/SDNY
REV. 06/01/17

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS
Benjamin Pillars

DEFENDANTS
General Motors LLC

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
The Mastromarco Firm, Victor J. Mastromarco, Jr., 1024 N. Michigan
Avenue, Saginaw, MI 48602 (989) 752-1414

ATTORNEYS (IF KNOWN)
Arthur Steinberg & Scott Davidson

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

28 U.S.C. 158 ; Bankruptcy Appeal

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☐ Yes ☒ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☒ Yes ☐ If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE? No ☐ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES			
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 INSURANCE	<input type="checkbox"/> 310 AIRPLANE	<input type="checkbox"/> 367 HEALTHCARE/	<input type="checkbox"/> 625 DRUG RELATED	<input checked="" type="checkbox"/> 422 APPEAL	<input type="checkbox"/> 375 FALSE CLAIMS
<input type="checkbox"/> 120 MARINE	<input type="checkbox"/> 315 AIRPLANE PRODUCT	<input type="checkbox"/> INJURY/PRODUCT LIABILITY	<input type="checkbox"/> SEIZURE OF PROPERTY	<input type="checkbox"/> 28 USC 158	<input type="checkbox"/> 376 QUI TAM
<input type="checkbox"/> 130 MILLER ACT	<input type="checkbox"/> LIABILITY	<input type="checkbox"/> 365 PERSONAL INJURY	<input type="checkbox"/> 21 USC 881	<input type="checkbox"/> 423 WITHDRAWAL	<input type="checkbox"/> 400 STATE
<input type="checkbox"/> 140 NEGOTIABLE	<input type="checkbox"/> 320 ASSAULT, LIBEL &	<input type="checkbox"/> PRODUCT LIABILITY	<input type="checkbox"/> 690 OTHER	<input type="checkbox"/> 28 USC 157	<input type="checkbox"/> REAPPORTIONMENT
<input type="checkbox"/> 150 INSTRUMENT	<input type="checkbox"/> SLANDER	<input type="checkbox"/> 368 ASBESTOS PERSONAL	PROPERTY RIGHTS		<input type="checkbox"/> 410 ANTITRUST
<input type="checkbox"/> 150 RECOVERY OF	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> INJURY PRODUCT	<input type="checkbox"/> 820 COPYRIGHTS		<input type="checkbox"/> 430 BANKS & BANKING
<input type="checkbox"/> OVERPAYMENT &	<input type="checkbox"/> EMPLOYERS'	<input type="checkbox"/> LIABILITY	<input type="checkbox"/> 830 PATENT		<input type="checkbox"/> 450 COMMERCE
<input type="checkbox"/> ENFORCEMENT	<input type="checkbox"/> LIABILITY	PERSONAL PROPERTY	<input type="checkbox"/> 835 PATENT-ABBREVIATED NEW DRUG APPLICATION		<input type="checkbox"/> 460 DEPORTATION
<input type="checkbox"/> OF JUDGMENT	<input type="checkbox"/> 340 MARINE	<input type="checkbox"/> 370 OTHER FRAUD	<input type="checkbox"/> 840 TRADEMARK		<input type="checkbox"/> 470 RACKETEER INFLU-
<input type="checkbox"/> 151 MEDICARE ACT	<input type="checkbox"/> 345 MARINE PRODUCT	<input type="checkbox"/> 371 TRUTH IN LENDING			<input type="checkbox"/> ENCED & CORRUPT
<input type="checkbox"/> 152 RECOVERY OF	<input type="checkbox"/> LIABILITY				<input type="checkbox"/> ORGANIZATION ACT
<input type="checkbox"/> DEFAULTED	<input type="checkbox"/> 350 MOTOR VEHICLE				<input type="checkbox"/> (RICO)
<input type="checkbox"/> STUDENT LOANS	<input type="checkbox"/> 355 MOTOR VEHICLE				<input type="checkbox"/> 480 CONSUMER CREDIT
<input type="checkbox"/> (EXCL VETERANS)	<input type="checkbox"/> PRODUCT LIABILITY				<input type="checkbox"/> 490 CABLE/SATELLITE TV
<input type="checkbox"/> 153 RECOVERY OF	<input type="checkbox"/> 360 OTHER PERSONAL	<input type="checkbox"/> 380 OTHER PERSONAL	SOCIAL SECURITY		
<input type="checkbox"/> OVERPAYMENT	<input type="checkbox"/> INJURY	<input type="checkbox"/> PROPERTY DAMAGE	<input type="checkbox"/> 861 HIA (1395(f))		<input type="checkbox"/> 850 SECURITIES/
<input type="checkbox"/> OF VETERANS'	<input type="checkbox"/> 362 PERSONAL INJURY -	<input type="checkbox"/> 385 PROPERTY DAMAGE	<input type="checkbox"/> 862 BLACK LUNG (923)		<input type="checkbox"/> COMMODITIES/
<input type="checkbox"/> BENEFITS	<input type="checkbox"/> MED MALPRACTICE	<input type="checkbox"/> PRODUCT LIABILITY	<input type="checkbox"/> 863 DIWC/DIWW (405(g))		<input type="checkbox"/> EXCHANGE
<input type="checkbox"/> 160 STOCKHOLDERS		PRISONER PETITIONS	<input type="checkbox"/> 864 SSID TITLE XVI		
<input type="checkbox"/> SUITS		<input type="checkbox"/> 463 ALIEN DETAINEE	<input type="checkbox"/> 865 RSI (405(g))		<input type="checkbox"/> 890 OTHER STATUTORY
<input type="checkbox"/> 190 OTHER		<input type="checkbox"/> 510 MOTIONS TO			<input type="checkbox"/> ACTIONS
<input type="checkbox"/> CONTRACT		<input type="checkbox"/> VACATE SENTENCE	<input type="checkbox"/> 710 FAIR LABOR		<input type="checkbox"/> 891 AGRICULTURAL ACTS
<input type="checkbox"/> 195 CONTRACT	ACTIONS UNDER STATUTES	<input type="checkbox"/> 28 USC 2255	<input type="checkbox"/> STANDARDS ACT		
<input type="checkbox"/> PRODUCT	CIVIL RIGHTS	<input type="checkbox"/> 530 HABEAS CORPUS	<input type="checkbox"/> 720 LABOR/MGMT		FEDERAL TAX SUITS
<input type="checkbox"/> LIABILITY	<input type="checkbox"/> 440 OTHER CIVIL RIGHTS	<input type="checkbox"/> 535 DEATH PENALTY	<input type="checkbox"/> 740 RAILWAY LABOR ACT		<input type="checkbox"/> 870 TAXES (U.S. Plaintiff or
<input type="checkbox"/> 196 FRANCHISE	<input type="checkbox"/> (Non-Prisoner)	<input type="checkbox"/> 540 MANDAMUS & OTHER	<input type="checkbox"/> 751 FAMILY MEDICAL		<input type="checkbox"/> Defendant)
	<input type="checkbox"/> 441 VOTING		<input type="checkbox"/> 751 FAMILY MEDICAL		<input type="checkbox"/> 871 IRS-THIRD PARTY
	<input type="checkbox"/> 442 EMPLOYMENT		<input type="checkbox"/> 751 FAMILY MEDICAL		<input type="checkbox"/> 26 USC 7609
	<input type="checkbox"/> 443 HOUSING/		<input type="checkbox"/> 751 FAMILY MEDICAL		
	<input type="checkbox"/> ACCOMMODATIONS	PRISONER CIVIL RIGHTS	<input type="checkbox"/> 751 FAMILY MEDICAL		<input type="checkbox"/> 870 TAXES (U.S. Plaintiff or
<input type="checkbox"/> 220 FORECLOSURE	<input type="checkbox"/> 445 AMERICANS WITH	<input type="checkbox"/> 550 CIVIL RIGHTS	<input type="checkbox"/> 751 FAMILY MEDICAL		<input type="checkbox"/> Defendant)
<input type="checkbox"/> 230 RENT LEASE &	<input type="checkbox"/> DISABILITIES -	<input type="checkbox"/> 555 PRISON CONDITION	<input type="checkbox"/> 751 FAMILY MEDICAL		<input type="checkbox"/> 871 IRS-THIRD PARTY
<input type="checkbox"/> EJECTMENT	<input type="checkbox"/> EMPLOYMENT	<input type="checkbox"/> 560 CIVIL DETAINEE	<input type="checkbox"/> 751 FAMILY MEDICAL		<input type="checkbox"/> 26 USC 7609
<input type="checkbox"/> 240 TORTS TO LAND	<input type="checkbox"/> 446 AMERICANS WITH	<input type="checkbox"/> CONDITIONS OF CONFINEMENT	<input type="checkbox"/> 751 FAMILY MEDICAL		
<input type="checkbox"/> 245 TORT PRODUCT	<input type="checkbox"/> DISABILITIES -OTHER		<input type="checkbox"/> 751 FAMILY MEDICAL		<input type="checkbox"/> 890 OTHER STATUTORY
<input type="checkbox"/> LIABILITY	<input type="checkbox"/> 448 EDUCATION		<input type="checkbox"/> 751 FAMILY MEDICAL		<input type="checkbox"/> ACTIONS
<input type="checkbox"/> 290 ALL OTHER			<input type="checkbox"/> 751 FAMILY MEDICAL		<input type="checkbox"/> 893 ENVIRONMENTAL
<input type="checkbox"/> REAL PROPERTY			<input type="checkbox"/> 751 FAMILY MEDICAL		<input type="checkbox"/> MATTERS
			<input type="checkbox"/> 751 FAMILY MEDICAL		<input type="checkbox"/> 895 FREEDOM OF
			<input type="checkbox"/> 751 FAMILY MEDICAL		<input type="checkbox"/> INFORMATION ACT
			<input type="checkbox"/> 751 FAMILY MEDICAL		<input type="checkbox"/> 896 ARBITRATION
			<input type="checkbox"/> 751 FAMILY MEDICAL		<input type="checkbox"/> 899 ADMINISTRATIVE
			<input type="checkbox"/> 751 FAMILY MEDICAL		<input type="checkbox"/> PROCEDURE ACT/REVIEW OR
			<input type="checkbox"/> 751 FAMILY MEDICAL		<input type="checkbox"/> APPEAL OF AGENCY DECISION
			<input type="checkbox"/> 751 FAMILY MEDICAL		<input type="checkbox"/> 950 CONSTITUTIONALITY OF
			<input type="checkbox"/> 751 FAMILY MEDICAL		<input type="checkbox"/> STATE STATUTES

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?
IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE Jesse M. Furman DOCKET NUMBER 1:14-md-02543

Check YES only if demanded in complaint
JURY DEMAND: ☐ YES ☒ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN X IN ONE BOX ONLY)

ORIGIN

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from (Specify District) ☐ 6 Multidistrict Litigation (Transferred) ☐ 7 Appeal to District Judge from Magistrate Judge
- ☐ a. all parties represented ☐ b. At least one party is pro se. ☐ 8 Multidistrict Litigation (Direct File)

(PLACE AN X IN ONE BOX ONLY)

BASIS OF JURISDICTION

**IF DIVERSITY, INDICATE
CITIZENSHIP BELOW.**

- ☐ 1 U.S. PLAINTIFF ☐ 2 U.S. DEFENDANT ☒ 3 FEDERAL QUESTION ☐ 4 DIVERSITY
(U.S. NOT A PARTY)

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF DEF [] 1 [] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [] 3 [] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF [] 5 [] 5
CITIZEN OF ANOTHER STATE	[] 2 [] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4 [] 4	FOREIGN NATION	[] 6 [] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

N/A

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

N/A

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

N/A

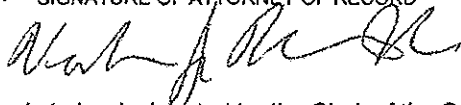
COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN

DATE 08/09/2017 SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #



ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO
[x] YES (DATE ADMITTED Mo. _____ Yr. _____)
Attorney Bar Code # pro hac vice

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

Clear Form

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